

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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5 ANIKA JOHNSON,

6 Plaintiff,

7 vs.

8 INTERNAL REVENUE SERVICE,

9 Defendant.

2:15-cv-00461-LDG-VCF

ORDER

10 Before the court is Plaintiff's Motion for Order to Show Cause (#5). Plaintiff filed her complaint
11 on March 12, 2015. (#1). Summons issued to the Internal Revenue Service ("IRS") on May 5, 2015.
12 (#3). On May 6, 2015, Plaintiff filed her Certificate of Service on the Summons. (#4). On May 6, 2015,
13 Plaintiff also filed a Motion for Order to Show Cause, requesting that the Court order Defendant to show
14 cause regarding a judgment. (#5). Plaintiff has not served the instant motion on Defendant.

15 Pursuant to Local Rule 7-2 (a), [a]ll motions, unless made during a hearing or trial, shall be in
16 writing and served on all other parties who have appeared. Here, Defendant has not yet appeared. Under
17 IRM § 25.3.3.1, the IRS has 60 days from the date of service of the summons and complaint to file a
18 response. If Plaintiff has correctly effectuated service of process on the IRS, the deadline for Defendant
19 to file a response to the complaint has not passed. The Motion for Order to Show Cause is prematurely
20 filed.

21 Accordingly,

22 IT IS HEREBY ORDERED that Plaintiff's Motion for Order to Show Cause (#5) is DENIED.

23 DATED this 11th day of June, 2015.

24 

25 CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE